

UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
COLUMBIA DIVISION

**FILED**  
U.S. DISTRICT COURT  
MIDDLE DISTRICT OF TENN.

SEP 23 2009

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DEPUTY CLERK

UNITED STATES OF AMERICA )

v. )

[1] JULIE A. CRUZ )

(Counts One, Three, Eight,  
and Nine) )

[2] THOMAS A. "TICK" PAYNE )

(Counts One, Two, Four, Five,  
Six, and Seven) )

[3] CHRISTINA A. JASKA )

(Count Nine) )

[4] CHRISTOPHER A. SMITH )

(Count Nine) )

No. 1:09-00009

21 U.S.C. § 841(a)(1)

21 U.S.C. § 846

Judge Trauger

**SUPERSEDING INDICTMENT**

COUNT ONE

THE GRAND JURY CHARGES:

Beginning not later than in or about 2006, the exact date being unknown to the Grand Jury, through on or about July 2, 2009, in the Middle District of Tennessee and elsewhere, **JULIE A. CRUZ** and **THOMAS A. "TICK" PAYNE** did combine, conspire, confederate, and agree with each other and others known and unknown to the Grand Jury, to unlawfully, knowingly, and intentionally possess with intent to distribute and distribute 50 grams or more of methamphetamine, a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

All in violation of Title 21, United States Code, Section 846.

COUNT TWO

THE GRAND JURY FURTHER CHARGES:

On or about May 6, 2009, in the Middle District of Tennessee, **THOMAS A. "TICK" PAYNE** did unlawfully, knowingly, and intentionally possess with intent to distribute and did distribute a quantity of a mixture and substance containing a detectable amount of methamphetamine, a Schedule II controlled substance.

In violation of Title 21, United States Code, Section 841(a)(1).

COUNT THREE

THE GRAND JURY FURTHER CHARGES:

On or about May 8, 2009, in the Middle District of Tennessee, **JULIE A. CRUZ** did unlawfully, knowingly, and intentionally possess with intent to distribute and did distribute a quantity of a mixture and substance containing a detectable amount of methamphetamine, a Schedule II controlled substance.

In violation of Title 21, United States Code, Section 841(a)(1).

COUNT FOUR

THE GRAND JURY FURTHER CHARGES:

On or about May 11, 2009, in the Middle District of Tennessee, **THOMAS A. "TICK" PAYNE** did unlawfully, knowingly, and intentionally possess with intent to distribute and did distribute a quantity of a mixture and substance containing a detectable amount of methamphetamine, a Schedule II controlled substance.

In violation of Title 21, United States Code, Section 841(a)(1).

COUNT FIVE

THE GRAND JURY FURTHER CHARGES:

On or about May 14, 2009, in the Middle District of Tennessee, **THOMAS A. "TICK" PAYNE** did unlawfully, knowingly, and intentionally possess with intent to distribute and did distribute 5 grams or more of methamphetamine, a Schedule II controlled substance.

In violation of Title 21, United States Code, Section 841(a)(1).

COUNT SIX

THE GRAND JURY FURTHER CHARGES:

On or about May 20, 2009, in the Middle District of Tennessee, **THOMAS A. "TICK" PAYNE** did unlawfully, knowingly, and intentionally possess with intent to distribute and did distribute 5 grams or more of methamphetamine, a Schedule II controlled substance.

In violation of Title 21, United States Code, Section 841(a)(1).

COUNT SEVEN

THE GRAND JURY FURTHER CHARGES:

On or about June 11, 2009, in the Middle District of Tennessee, **THOMAS A. "TICK" PAYNE** did unlawfully, knowingly, and intentionally possess with intent to distribute and did distribute 5 grams or more of methamphetamine, a Schedule II controlled substance.

In violation of Title 21, United States Code, Section 841(a)(1).

#### COUNT EIGHT

##### THE GRAND JURY FURTHER CHARGES:

On or about June 18, 2009, in the Middle District of Tennessee, **JULIE A. CRUZ** did unlawfully, knowingly, and intentionally possess with intent to distribute and did distribute 5 grams or more of methamphetamine, a Schedule II controlled substance.

In violation of Title 21, United States Code, Section 841(a)(1).

#### COUNT NINE

##### THE GRAND JURY FURTHER CHARGES:

Beginning not later than on or about March 16, 2009, through on or about March 25, 2009, in the Middle District of Tennessee and elsewhere, **JULIE A. CRUZ, CHRISTINA A. JASKA, and CHRISTOPHER A. SMITH** did combine, conspire, confederate, and agree with each other and others known and unknown to the Grand Jury, to unlawfully, knowingly, and intentionally possess with intent to distribute and distribute a quantity of 3,4-Methylenedioxymethamphetamine (MDMA), a Schedule I controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

All in violation of Title 21, United States Code, Section 846.

#### FORFEITURE ALLEGATIONS

The allegations contained in Counts One through Eight of this Indictment are re-alleged and incorporated by reference as if fully set forth in support of this forfeiture.

Upon conviction of any of the controlled substance offenses alleged in Counts One through Eight of this indictment, **JULIE A. CRUZ** and **THOMAS A. "TICK" PAYNE**, jointly and severally, shall forfeit to the United States, pursuant to Title 21, United States Code, Section 853, any and all property constituting or derived from proceeds obtained, directly or indirectly, as

a result of the said violation and any and all property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of a violation of Title 21, United States Code, Sections 841(a)(1) and 846. The property to be forfeited includes but is not limited to the following:

1. All that lot or parcel of land, together with its buildings, appurtenances, improvements, fixtures, attachments and easements, located at 2615 Ragsdale Road, Columbia, Maury County, Tennessee, more particularly described as :

Situate in the Second (2<sup>nd</sup>) civil district of Maury County, Tennessee, and being located on the West side of Ragsdale Road and being more fully described to wit: Beginning at an iron pin at a fence post in the West right of way line of Ragsdale Road said pin being the Northeast corner of said tract and the Southeast corner of Elvin W. Spencer (DB 799, pg. 214) thence with said right of way line of said Ragsdale Road South 14 degrees 10 minutes West 175 feet to an iron pin in said right of way line said pin being the Southeast corner of said tract; thence leaving said pin South 87 degrees 10 minutes West 228 feet to an iron pin in an old fence line on the West side of a ditch in the East line of Sherman Davis (DB 457, pg. 495) said pin being the Southwest corner of said tract; thence with said fence line along the West bank of said ditch as follows, North 16 degrees 25 minutes West 100 feet, North 06 degrees 30 minutes West 50 feet, North 04 degrees 35 minutes East 59 feet to a fence corner in the South line of the above mentioned Elvin Spencer property said fence corner being the Northwest corner of said tract and the Northeast corner of Sherman Davis property; thence leaving said fence corner along a fence line and the South line of Spencer, South 85 degrees 32 minutes East 301 feet to the point of beginning and containing 1.17 acres, more or less as per survey made by James E. Sanders, TRLS #31 dated June 10, 1993, and being known in office of same as Job Number 10001458, and as shown on minor plat of record in Plat Book 11 at page 360 in the Maury County, Tennessee Register of Deeds office. Being a portion of the same property conveyed to Julie Allison Cruz by instrument of record in Book R1946, Page 835, ROMCT; and


2. All that lot or parcel of land, together with its buildings, appurtenances, improvements, fixtures, attachments and easements, located at 505 Patterson

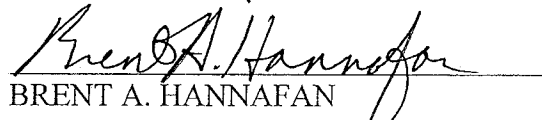
Drive, Columbia, Maury County, Tennessee, more particularly described as:

Situate in the Second (2<sup>nd</sup>) civil district of Maury County, Tennessee, and being located on the West side of Ragsdale Road and being more fully described to wit: Located in the Ninth (9<sup>th</sup>) Civil District of Maury County, Tennessee, and being Lot No. 81, Meadow Brook Subdivision, Section 3, as shown on plat of record in Plat Book 6, Page 584B, Register's Office of Maury County, Tennessee. Being the same property conveyed to CitiMortgage, Inc., by Trustee's Deed, filed December 8, 2008, in Book R2060 at page 498 in said Register's Office.

A TRUE BILL:

GRAND JURY FOREPERSON

  
EDWARD M. YARBROUGH  
UNITED STATES ATTORNEY

  
BRENT A. HANNAFAN  
ASSISTANT UNITED STATES ATTORNEY